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REMARKS/ARGUMENTS

Claims 34-46 are pending in this application.

On page 2 of the outstanding Office Action, the Examiner provisionally rejected claims 34-36, 40, and 45 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 3, 5, and 6 of co-pending U.S. Application No. 12/103,167, and on pages 4 and 5 of the outstanding Office Action, the Examiner provisionally rejected claims 34-36 and 45 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1, 6, 8, 9, and 11 of co-pending U.S. Application No. 12/103,158.

In the accompanying Terminal Disclaimers, Applicant has disclaimed the terminal portion of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of commonly owned U.S. Applications Nos. 12/103,167 and 12/103,158.

Accordingly, Applicant requests reconsideration and withdrawal of the provisional rejection of claims 34-36, 40, and 45 under the judicially created doctrine of double patenting as being unpatentable over claims 3, 5, and 6 of co-pending U.S. Application No. 12/103,167 and the provisional rejection of claims 34-36 and 45 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1, 6, 8, 9, and 11 of co-pending U.S. Application No. 12/103,158.

On page 7 of the outstanding Office Action, the Examiner rejected claims 34-36 and 40-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al. (JP 06-195056) in view of McCarthy et al. (U.S. 6,477,464). On page 12 of the outstanding Office Action, the Examiner rejected claims 37-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al. in view of McCarthy et al., and further in view of Breed (U.S. 7,126,583).

Applicant respectfully traverses the rejections of claims 34-46.

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Applicant's claim 34 recites:

An onboard display device, comprising:

a display section attached to an instrument panel of a vehicle, said display section being greater in width than in height and having an aspect ratio that is equal to or greater than 7 : 3, the aspect ratio being a width/height ratio of a display area of the display section, said display section including a first part in which a secondary image including information other than information of the vehicle is displayed, and a second part in which vehicle condition image including information of the vehicle are displayed; and

a display control section controlling individual manners in which the display section shows the secondary image and the vehicle condition images,

under control of said display control section, when the secondary image is displayed at an increased scale, the secondary image appears partly on a part of a display area for the vehicle condition images, and the vehicle condition images are displayed in a different manner. (emphasis added)

With the unique combination and arrangement of features recited in Applicant's claim 34, including the feature of "under control of said display control section, when the secondary image is displayed at an increased scale, the secondary image appears partly on a part of a display area for the vehicle condition images, and the vehicle condition images are displayed in a different manner," Applicant has been able to provide a onboard display device that achieves improved visibility to the eye of the driver in the concurrent display of a secondary image and a vehicle condition image (see, for example, the paragraph bridging pages 3 and 4 of Applicant's specification).

The Examiner alleged that the combination of Nakamura et al. and McCarthy et al. teaches the features recited in Applicant's claim 34. More specifically, the Examiner alleged that Nakamura et al. teaches:

a display control section controlling individual manners in which the display section shows the secondary image and the vehicle condition images ([0020], [0021], [0027], [0040]), under control of said display control section, when the secondary image is displayed at an increased scale, the secondary image appears partly on a part of a display area for the vehicle condition images (from Fig 4d to Fig 5b), and the vehicle condition images are displayed in a different manner (*there are many embodiments where the vehicle condition image is in a different manner, demonstrating the capability of the system*).

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While the Examiner admitted that Nakamura et al. "doesn't expressly teach an aspect ratio that is equal to or greater than 7:3 ... , " the Examiner alleged "[McCarthy et al.] teaches the use a GPS with a display having an aspect ratio greater than or equal to 3 (Col 7 Lines 55-64)." Thus, the Examiner concluded, "[I]t would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nakamura [et al.] with McCarthy [et al.] as a matter of design choice using readily available components."

Applicant respectfully disagrees.

Applicant's claim 34 recites the feature of "under control of said display control section, when the secondary image is displayed at an increased scale, the secondary image appears partly on a part of a display area for the vehicle condition images, and the vehicle condition images are displayed in a different manner."

Neither Nakamura et al. nor McCarthy et al. teaches or suggests this feature.

As described in page 28, line 8 to page 29, line 4 of Applicant's specification, when the secondary image, such as a navigation image, is displayed at an increased scale so that the driver can easily see it, the vehicle condition images such as the speedometer, tachometer, and other displays are inevitably produced at reduced size. However, as can be seen in Fig. 13(b) of Applicant's drawings, if the vehicle condition images are displayed at reduced size while a meter corresponding to one of the vehicle condition images is shaped as a circle, a visibility of the vehicle condition images will be decreased so that driving safety will be impaired.

To correct this, in the presently claimed invention, the vehicle condition images are displayed in a different manner when they are shrunk, as shown in Figs. 12(a), Fig. 12(b), and Fig. 13(a), so that the visibility of the vehicle condition images in the display section which has the same aspect ratio is prevented from decreasing. Accordingly, the presently claimed invention provides the effect of a display that can be changed while ensuring improved visibility to the eye of the driver in the concurrent display of a secondary image and a vehicle condition image, and thus ensuring the driving safety of the vehicle.

This advantageous effect is particularly notable in case where the aspect ratio of the display section is set to 7:3 or more and the respective aspect ratios of the display area serving

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as the first part for displaying the secondary image and the second part for displaying the vehicle condition images are first set to 3:4 and 3:3, respectively. Then, when the secondary image is increased in size so that the vehicle condition images are decreased in size by the increasing secondary image, it is possible to change the display manner of the vehicle condition images while preventing the visibility of the vehicle condition images displayed at 3:3 from decreasing. Accordingly, by using this arrangement, it is possible to allow the driver to continue to drive safely due to the continued readability of the vehicle condition images in spite of their decreased size. Nakamura et al. does not teach or suggest these features.

Nakamura et al. teaches a display device arranged to display various information in separate display regions A_1, A_2, A_3, A_4 , as shown in Figs. 4(a)-5(f), 10(a), and 10(b) of Nakamura et al. However, Nakamura et al., merely teaches how to divide a static layout of the plural display regions A_1, A_2, A_3, A_4 of the display screen into plural display areas that have different scales. Contrary to the Examiner's allegation, Nakamura et al. does not teach or suggest that the manner in which information is displayed on the plural display regions A_1, A_2, A_3, A_4 is changed. For example, nowhere in Nakamura et al. is there any teaching or suggestion of switching a speed output displayed in an analog manner to a speed output displayed in a digital manner in response to a changing of size of one of the plural display regions A_1, A_2, A_3, A_4 of Nakamura et al.

Thus, Nakamura et al. clearly fails to teach or suggest the feature of "under control of said display control section, when the secondary image is displayed at an increased scale, the secondary image appears partly on a part of a display area for the vehicle condition images, and the vehicle condition images are displayed in a different manner" as recited in Applicant's claim 34.

McCarthy et al. merely teaches a scrolling text display 18, as shown in Fig. 1 of McCarthy et al. McCarthy et al. clearly does not teach or suggest the feature of "under control of said display control section, when the secondary image is displayed at an increased scale, the secondary image appears partly on a part of a display area for the vehicle condition images, and the vehicle condition images are displayed in a different manner" as recited in Applicant's claim

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34.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 34 under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al. in view of McCarthy et al.

The Examiner relied upon Breed to allegedly cure the deficiencies of Nakamura et al. and McCarthy et al. However, Breed clearly fails to teach or suggest the feature of "under control of said display control section, when the secondary image is displayed at an increased scale, the secondary image appears partly on a part of a display area for the vehicle condition images, and the vehicle condition images are displayed in a different manner" as recited in Applicant's claim 34. Thus, Applicant respectfully submits that Breed fails to cure the deficiencies of Nakamura et al. and McCarthy et al. described above.

Accordingly, Applicant respectfully submits Nakamura et al., McCarthy et al., and Breed, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Applicant's claim 34.

In view of the foregoing remarks, Applicant respectfully submits that claim 34 is allowable. Claims 35-46 depend upon claim 34, and are therefore allowable for at least the reasons that claim 34 is allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicant petitions the Commissioner for a ONE-month extension of time, extending to March 13, 2010, the period for response to the Office Action dated November 13, 2009.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Dated: February 23, 2010

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